## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/782,570 Confirmation No.: 5780

Applicant(s): Carozzi et al. February 19, 2004

Art Unit: 1638

Examiner: Anne R. Kubelik

Title: AXMI-007, A DELTA-ENDOTOXIN GENE AND METHODS FOR ITS USE

Docket No.: 045600/274144

Customer No.: 00826

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT UNDER 37 C.F.R. § 1.121

Sir:

In response to the Office Action dated August 7, 2009, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks** begin on page 5 of this paper.